

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JANET SCHWANINGER as Administratrix of
the Estate of ELIZABETH SCHAAF, Deceased,

Plaintiff,

v.

HYUNDAI MOTOR COMPANY, *et al.*,

Defendants.

Case No. 3:15-cv-858-JPG-RJD

MEMORANDUM AND ORDER

Before the Court is the Unopposed Motion for Good-Faith Finding as to Settlement (Doc. 204) filed by defendants Hyundai Motor Company, Hyundai Motor America, Autoliv Corporation, Hyundai Mobis Co., Ltd., Key Safety Systems, Inc., and Key Automotive of Florida. After duly examining the Unopposed Motion for Good-Faith Finding as to Settlement, the evidence submitted, including the *ex parte* settlement summaries filed by the settling defendants (Docs. 207-10), and being otherwise fully advised in the premises, **IT IS ORDERED, CONSIDERED, AND ADJUDGED BY THE COURT THAT:**

Plaintiff has brought this cause of action under the Illinois Wrongful Death Act, 740 ILCS 180/1 *et seq.*, and the Illinois Survival Act, 755 ILCS 5/27-6, seeking to recover damages for the death of Elizabeth Schaaf, who suffered fatal injuries in a rollover accident on August 6, 2013;

Plaintiff believes there is a meritorious cause of action against Defendants, and Defendants deny any and all liability herein;

An offer of settlement of the claims for wrongful death and survival has been made in exchange for properly executed releases of all claims, and Plaintiff has accepted Defendants' offer;

The Circuit Court of the Seventh Judicial Circuit, Jersey County, Illinois, Case No. 15-P-42, has found the confidential settlement and the distribution among the individual heirs of Decedent's estate to be fair and reasonable;

Based on the totality of the circumstances, the settlement of the claims for wrongful death and survival was entered into upon arm's length negotiation between the parties and their counsel, and the settlement and releases have been made in good faith in accordance with the Joint Tortfeasor Contribution Act, 740 ILCS 100/2(c);

Each Defendant is discharged from all liability for any contribution to any other tortfeasor in accordance with 740 ILCS 100/2(d);

Defendants' Unopposed Motion for Good-Faith Finding as to Settlement (Doc. 204) is **GRANTED.**

IT IS SO ORDERED.
DATED: July 25, 2018

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE